



CYBIO.008CP1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant | : | Stegmann, Thomas (as amended) |
| Appl. No. | : | 10/649,480 |
| Filed | : | August 27, 2003 |
| For | : | METHOD OF PRODUCING BIOLOGICALLY ACTIVE HUMAN ACIDIC FIBROBLAST GROWTH FACTOR AND ITS USE IN PROMOTING ANGIOGENESIS |
| Examiner | : | Li, Bao Q |
| Group Art Unit | : | 1648 |

DECLARATION OF INVENTORSHIP UNDER
In re Katz, 687 F. 2d 450, 215 U.S.P.Q. 14 (CCPA, 1982)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Thomas Stegmann, declare as follows:

1. I am the sole inventor of the claims of the above-identified patent application as amended in the accompanying Amendment, and am responsible for the inventive concepts disclosed therein.
2. I, am also one of the co-authors of the publication: B. Schumacher, MD; P. Pecher, MD; B.U. von Specht, MD; Th. Stegmann, MD, (1998) "Induction of Neoangiogenesis in Ischemic Myocardium by Human Growth Factors" Circulation vol. 97, pages 645-650, wherein significant aspects of the invention are described.
3. The following co-authors of the publication contributed to the study presented in the publication as follows, in terms of (a) the position held at the time of the study described in the publication; and (b) contribution to the work:
B. Schumacher, MD, (staff member & senior assistant in Department of Thoracic & Cardiovascular Surgery)

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- assisted me during the coronary artery bypass graft (CABG) operations when intramyocardial FGF-1 injection was performed under my direct supervision
- performed collection and pre-evaluation of patient data under my supervision
- screened patients for the trial under my supervision
- collected data for the publication under my supervision

Peter Pecher, MD, (staff member as non-certified cardiovascular surgeon)

- collected patient data during the study
- provided surgical assistance in the operating room during the coronary artery bypass graft (CABG) operations while I performed the intramyocardial injection of FGF-1

B.U. von Specht, MD, (employee of surgical research laboratory in Freiburg, Germany)

- prepared FGF-1 used in the study following my instructions

4. The three co-authors listed above were involved only with providing assistance during the surgical procedures, screening patients for the study and preparation of the FGF-1 used in the study according to my directions. All three co-authors worked under my direct guidance and direction. They were not the inventors of the subject matter described in the patent application, but were listed as co-authors in order to receive credit for working on the project, as is the custom in scientific research programs.

5. For the reasons presented above, only myself, Thomas Stegmann, MD, who is listed as inventor on the above-referenced patent application is the true inventor of the subject matter claimed in the above-referenced application.

6. As a person signing below, I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States codes and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated:

August 22, 2005

By:

Thomas Stegmann, MD

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